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 John D. Villa, Jr.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

JOHN D. VILLA, JR.,

Plaintiff,

vs.

LINDA ROWE, et al.,

Defendants.

No.: C 07-01436 WHA

**DECLARATION OF PLAINTIFF JOHN D. VILLA, JR. IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

**Date:** February 2, 2012  
**Time:** 8:00 a.m.  
**Place:** Courtroom 9  
**Amended Compl. Filed:** November 30, 2007  
**Trial Date:** February 12, 2012

**Honorable William H. Alsup**

I, John D. Villa, declare:

1. I am an inmate in the California Department of Corrections and Rehabilitation, currently housed at Ironwood State Prison. My CDCR No. is J-38001. I have personal knowledge of the following and can competently testify to the contents of this Declaration if called as a witness.

2. I am a validated gang drop-out with an SNY prison classification. As a validated gang drop-out, I am targeted to be murdered by the Mexican Mafia and their associates because of my drop-out status.

1           3. The Mexican Mafia is the most violent gang faction in California, credited with at  
2 least 300 murders per year outside prison on orders that were issued by the Mafia from inside prison.

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4           4. I was granted SNY classification by the CDCR because, in part, I went through a  
5 debriefing process where I incriminated myself and the Mexican Mafia.

6  
7           5. The Mexican Mafia could murder me at any time if I were not in the SNY program  
8 and I were not housed separately from the general population.

9  
10          6. During my transfer to San Quentin for trial in October 2011 prison office placed me  
11 on CDCR buses with the general population. This also took place in June 2011 for the prior trial  
12 date.

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14          7. Even though the Writ of Habeas Corpus Ad Testificandum stated that I should not be  
15 placed with the general population, prison officials disregarded this and still placed me with the  
16 general population.

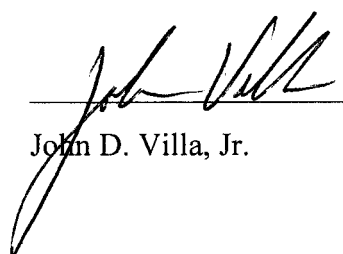
17  
18          8. Even though there is a fence on the bus that separates validated gang drop-outs who  
19 are SNY inmates from the general population, this is not enough to protect me because the general  
20 population can see me when the guards call out my CDCR number, my name, and my SNY  
21 classification. That notifies all Mexican Mafia associates of my presence.

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23          9. When I arrived at San Quentin one of the guards asked another of the inmates who  
24 was on the bus with me if he was an active gang member. The inmate said he was. The guard then  
25 instructed me to follow him. The guards brought over three other inmates, who were also active  
26 gang members, to join me. The guards took off our handcuffs and shackles. Then, they told us to  
27 strip. At that point the guard asked me if I was an SNY inmate, in front of the three active gang  
28

1 members. I was required to answer yes. That placed me in grave danger. I believe the only reason  
2 the other inmates did not attack and, possibly kill me, was because they were white.

3  
4 10. When I arrived at Chino, during my transportation back to Ironwood, the guards  
5 placed me and the only other SNY inmate who was riding the bus in a holding cell. Corrections  
6 Officer Koons came to do a housing interview, which is where the CO asks if you're SNY and who  
7 can you cell with. I told Koons I was out to court for a lawsuit. He said good luck and then walked  
8 away. About an hour later they sent me to a unit to be housed with an active Mexican Mafia  
9 associate. I told the officer I was SNY and asked if I was supposed to be there. He said no. Had I  
10 not asked the officer if I was supposed to be there I probably would have gotten killed in the cell that  
11 night. I was placed in Ad Seg because they said there were no more SNY bunks open for me. I spent  
12 three days in Ad Seg. After three days, guards placed me on the bus where I learned from other  
13 SNY inmates that there were plenty of other bunks available for more SNY inmates.

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15 This declaration is signed this 23 day of December, 2011 at BLYTHE, California.

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18 John D. Villa, Jr.  
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